

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In re DMCA Subpoena to

Bluesky Social, PBC, d.b.a. Bluesky Social,
Bluesky, PBC, Bluesky, and Bluesky,
PBLLC

NO. 2:25-mc-00027

EX PARTE APPLICATION/MOTION
FOR ORDER PURSUANT TO 17 U.S.C. §
512 AND MEMORANDUM IN
SUPPORT OF APPLICATION

NOTE ON MOTION CALENDAR: MAY
14, 2025

Applicant Mai Yamane (“Applicant”), by and through her undersigned counsel, hereby applies to this Court *ex parte* for an order directing the Clerk of the Court to issue a subpoena pursuant to 17 U.S.C. § 512(h) to Bluesky Social, PBC, d.b.a. Bluesky Social, Bluesky, PBC, Bluesky, and to Bluesky, PBLLC (“Bluesky Social”) to identify alleged infringers (the “Infringers”) specified in the notifications of claimed infringement submitted to Bluesky Social in accordance with the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512(c)(3) (collectively as the “DMCA Notice”).

This application is supported by the memorandum in support below, the Declaration of Hirotaka Fujiwara (“Fujiwara Decl.”), the DMCA Notice, and the proposed subpoena concurrently filed herewith.

I. BACKGROUND

Applicant is the owner of copyrights in the materials (collectively as the “Applicant’s Copyrighted Materials”) infringed online by Infringers, who posted infringing materials (collectively as the “Infringing Materials”) via social media services known as Bluesky (<https://bsky.app/>) provided by Bluesky Social. Applicant, through her counsel, has submitted the DMCA Notice to Bluesky Social pursuant to 17 U.S.C. § 512(c)(3), identifying the Applicant’s Copyrighted Materials and the Infringing Materials. (Fujiwara Decl., ¶ 3) Applicant now seeks a subpoena to Bluesky Social to obtain information sufficient to identify the Infringer pursuant to 17 U.S.C. § 512(h). Bluesky Social has agreed to a litigation hold while this application is pending.

II. ARGUMENT

Under 17 U.S.C. § 512(h), a copyright owner may request that the clerk of any United States district court issue a subpoena to a service provider to identify an alleged infringer. Applicant has satisfied the requirements for issuance of a subpoena under 17 U.S.C. § 512(h) by submitting the following concurrently filed herewith:

- A copy of the DMCA Notice under § 512(c)(3) (Fujiwara Decl., ¶ 2);
- A proposed subpoena; and
- A sworn Declaration by Hirotaka Fujiwara, attesting that the purpose for which the subpoena is sought is to obtain the identity of alleged infringers and that such information will only be used for the purpose of protecting the Applicant's rights under the Copyright Act (17 U.S.C. § 101, et seq.) (Fujiwara Decl., ¶¶ 4-5).

1 **III. CONCLUSION**

2 For the reasons stated above, Applicant respectfully requests that the Clerk of this Court
3 expeditiously issue and sign the proposed subpoena and return it to Applicant for service on
4 Bluesky Social pursuant to 17 U.S.C. § 512(h)(4).
5

6 I certify that the Application and Memorandum contains 387 words in compliance with
7 Local Civil Rules.

8 DATED this 9th day of May, 2025.

9 *s/ Jeff Smyth*

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